

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TOMAS LOPEZ MENEWEATHER,

No. C 07-04092 SBA (PR)

Plaintiff,

ORDER OF DISMISSAL

v.

B. POWELL,

Defendant(s).

This action was opened in error when the Court received documents in two separate envelopes from Plaintiff that were intended to be filed in a single action. Two different actions were opened, although only one action should have been opened. The document in Case No. C 07-04092 SBA (PR) is a copy of the document filed in Case No. C 07-4204 SBA (PR). This action is DISMISSED because it was opened in error. The in forma pauperis application is DENIED as moot. No filing fee is due. The Clerk of the Court shall close the file.

IT IS SO ORDERED.

DATED: 12/18/07


SAUNDRA BROWN ARMSTRONG
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

TOMAS LOPEZ MENEWEATHER,

Case Number: CV07-04092 SBA

Plaintiff,

CERTIFICATE OF SERVICE

v.

B. POWELL et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 19, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Tomas Lopez Meneweather D35219
Salinas Valley State Prison
P.O. Box 1050
Soledad, CA 93960

Dated: December 19, 2007

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk